

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

HEALTH CARE AND RETIREMENT  
CORPORATION OF AMERICA,

Potential Opposer,

v.

SANARUS MEDICAL, INC.,

Applicant.

OPPOSITION NO.



06-03-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

COMMISSIONER FOR TRADEMARKS  
TRADEMARK TRIAL AND APPEAL BOARD  
2900 CRYSTAL DRIVE  
ARLINGTON, VA 22202-3514

FURTHER REQUEST FOR EXTENSION OF TIME  
TO FILE NOTICE OF OPPOSITION

RE: APPLICATION NO.: 78/123,506  
MARK: CIRCLE OF CARE  
APPLICANT: SANARUS MEDICAL, INC.  
FILED: APRIL 23, 2002  
PUBLISHED: JUNE 17, 2003

Dear Sir:

Potential Opposer requests that the time for filing an opposition against  
Application Serial No. 78/123,506 for the mark **CIRCLE OF CARE**, filed by **SANARUS  
MEDICAL, INC.** be extended, up to and including **August 1, 2004**.

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 C.F.R. §1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being

**MAILED**

**FACSIMILE**

☒ Deposited with the United States Postal Service on June 1,  
2004 with sufficient postage as first class mail in an envelope  
addressed to the: Commissioner for Trademarks, BOX TTAB -  
NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3514.

☐ transmitted by facsimile on [date] to the U.S. Patent and  
Trademark Office telefax number .

Type Signature Name

Kimberly L. Haney

(Signature of person mailing paper or fee)

(Signature of person mailing paper or fee)

Potential Opposer and Applicant have executed a Consent Agreement and are awaiting acceptance of this Consent Agreement by the U.S. Trademark Examiner of HCR's application Serial No. 76/460,626. Upon acceptance by the Examiner, the parties will abide by their respective obligations set forth in the Consent Agreement. Until such time, however, this extension is necessary to allow adequate time for the U.S. Trademark Examiner of HCR's application Serial No. 76/460,626 to evaluate the registrability of Potential Opposer's pending application. This request to extend time is not being filed for the purpose of delay.

Applicant has consented to this request for a further extension in the executed Consent Agreement. Such extension is hereby sought up through and including **August 1, 2004** to resolve this matter.

This Request is being submitted in triplicate as required by 37 C.F.R. § 2.102(d).

Date: June 1, 2004

Respectfully submitted,

HEALTH CARE AND RETIREMENT  
CORPORATION OF AMERICA

By: 

Charles H. Dougherty, Jr.

Attorney for Potential Opposers

REED SMITH LLP  
P. O. Box 488  
Pittsburgh, PA 15230-0488  
412-288-7229

TTAB

# ReedSmith

Charles H. Dougherty, Jr.  
Direct Phone: 412.288.7229  
Email: cdougherty@reedsmith.com

435 Sixth Avenue  
Pittsburgh, PA 15219-1886  
412.288.3131  
Fax 412.288.3063

June 1, 2004



06-03-2004

U.S. Patent & TMO/TM Mail Report #22

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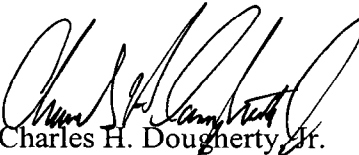
RE: APPLICATION NO.: 78/123,506  
MARK: CIRCLE OF CARE  
APPLICANT: SANARUS MEDICAL, INC.  
FILED: April 23, 2002  
PUBLISHED: June 17, 2003

Dear Commissioner:

Enclosed please find a further Request for Extension of Time to file a Notice of Opposition in the above-referenced application. This request is being filed in triplicate.

Very truly yours,

REED SMITH LLP

By:   
Charles H. Dougherty, Jr.

CHD:klh

Enclosures

cc: Susan L. Crockett, Esq. (w/encl.)  
David K. Nees, Esq. (w/encl.)  
Gene A. Tabachnick, Esq. (w/o encl.)

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